IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application for:

SUPER DISTRIBUTION OF MUSIC

Inventor(s):   David Hughes, Matthew Carpenter, Mandana Massiha, and Phuong Nguyen

Docket Number: SNY-P4352

Prepared By: Miller Patent Services
29 Seminole Drive
Ringwood, NJ 07456

Phone: (973) 728-2760
Fax: (973) 728-0438
Email: miller@patent-inventions.com

1

2

3

4

5

6

7 **SUPER DISTRIBUTION OF MUSIC**

8

9

10

11 **FIELD OF THE INVENTION**

12 This invention relates generally to the field of electronic music distribution

13 and other forms of electronic entertainment content. More particularly, this

14 invention relates to a so-called super distribution techniques.

15

16 **BACKGROUND OF THE INVENTION**

17 In recent years, providing samples of a musical selection has become a

18 popular marketing tool for record companies as well as other organizations

19 marketing music. By creating electronic samples of a computer readable music

20 file, the samples can be distributed as a marketing tool according to various

21 electronic schemes often referred to as super distribution. Unfortunately, current

22 electronic mail applications do not provide a convenient mechanism for a user to

23 receive and distribute such music samples. Nor do known techniques provide an

24 easy mechanism to purchase music. This limits the effectiveness of current

25 electronic music distribution techniques.

26

27 **SUMMARY OF THE INVENTION**

28 The present invention relates generally to electronic distribution of

29 entertainment content such as music. Objects, advantages and features of the

1 invention will become apparent to those skilled in the art upon consideration of the
2 following detailed description of the invention.
3   In one embodiment of the present invention, a method of purchasing
4 electronic entertainment content includes receiving an electronic sample of the
5 entertainment content; receiving a link to a source of purchase of a complete copy
6 of the entertainment content; using the link to connect to the source of purchase
7 of the complete copy; and purchasing the complete copy.
8   In another embodiment consistent with the present invention, a method of
9 purchasing music includes receiving an electronic sample of a music selection as
10 an attachment to an email message from a sender, wherein the sample comprises
11 a computer file containing a compressed music sample; receiving a URL link to a
12 source of purchase of a complete copy of the music selection; using the URL link
13 to connect to the source of purchase of the complete copy; purchasing the
14 complete copy of the music selection, wherein the purchased copy of the music
15 selection is delivered via an electronic file transfer over the Internet.
16   In another embodiment consistent with the present invention, a method of
17 purchasing music includes receiving a URL as an attachment to an email message
18 from a sender, the URL providing a link to a streaming music sample; the URL
19 further providing a link to a source of purchase of a complete copy of the music
20 selection; using the URL link to connect to the source of purchase of the complete
21 copy; purchasing the complete copy of the music selection, wherein the purchased
22 copy of the music selection is delivered via an electronic file transfer over the
23 Internet.
24   In another embodiment consistent with the present invention, a method of
25 purchasing music includes receiving an electronic sample of a music selection as
26 an attachment to an email message from a sender, wherein the sample comprises
27 a computer file containing a compressed music sample and an encrypted version
28 of the music selection; receiving a URL link to a source of purchase of a complete
29 copy of the music selection; using the URL link to connect to the source of
30 purchase of the complete copy; purchasing the complete copy of the music

1 selection; and unlocking a complete copy of the music selection embodied in the

2 sample by decrypting the encrypted version of the music selection.

3 In another embodiment consistent with the present invention, a method of

4 purchasing entertainment content includes receiving an electronic sample of the

5 entertainment content as an attachment to an email message from a sender,

6 wherein the sample comprises a computer file containing an unencrypted sample

7 along with an encrypted version of the entertainment content; receiving a URL link

8 to a source of purchase of a complete copy of the entertainment content; using the

9 URL link to connect to the source of purchase of the complete copy; purchasing

10 access to the complete copy of the entertainment content; and unlocking the

11 complete copy of the entertainment embodied in the sample by decrypting the

12 encrypted version of the entertainment content.

13 In another embodiment consistent with the present invention, a method of

14 distributing entertainment content includes distributing a sample of the

15 entertainment content, wherein the sample comprises a computer file containing

16 an unencrypted sample along with an encrypted version of the entertainment

17 content; receiving payment for the complete copy of the entertainment content from

18 a purchaser via the Internet; sending an encryption key to the purchaser via the

19 Internet for unlocking the complete copy of the entertainment embodied in the

20 sample.

21 In another embodiment consistent with the present invention, a method of

22 electronic distribution of entertainment content includes distributing an email

23 message containing a link to a sample of the entertainment content; providing a

24 link to purchase the entertainment content; receiving payment from a purchaser for

25 the entertainment content via the Internet; and transferring a file to the purchaser

26 via the Internet.

27 In another embodiment consistent with the present invention, a method of

28 rewarding electronic distribution of entertainment content includes providing a link

29 to purchase the entertainment content; receiving payment from a purchaser for the

30 entertainment content via the Internet; transferring a file to the purchaser via the

1 Internet; determining that the purchaser received a sample of the entertainment
2 content from a sender; and awarding an affinity credit to the sender.

3 An electronic commerce server consistent with an embodiment of the
4 invention includes a programmed processor. The programmed processor is
5 coupled to the Internet. A program running on the programmed processor carries
6 out the process of: providing a link to purchase the entertainment content;
7 receiving payment from a purchaser for the entertainment content via the Internet;
8 transferring a file to the purchaser via the Internet; determining that the purchaser
9 received a sample of the entertainment content from a sender; and awarding an
10 affinity credit to the sender.

11 In various methods and apparatus for distribution of music and other
12 entertainment content, a music or (other entertainment content) sample is received
13 as an attachment to an email. The recipient also receives a link to a source of
14 purchase of the full music selection. In one embodiment, the full music selection
15 is embodied as part of the music sample file and can be purchased by decryption.
16 In another embodiment, the full copy of the music selection can be delivered as a
17 download from the Internet. In other embodiments, the music sample is embodied
18 as a link to a streaming music sample.

19 The above summaries are intended to illustrate exemplary embodiments of
20 the invention, which will be best understood in conjunction with the detailed
21 description to follow, and are not intended to limit the scope of the appended
22 claims.

23

24 **BRIEF DESCRIPTION OF THE DRAWINGS**

25 The features of the invention believed to be novel are set forth with
26 particularity in the appended claims. The invention itself however, both as to
27 organization and method of operation, together with objects and advantages
28 thereof, may be best understood by reference to the following detailed description
29 of the invention, which describes certain exemplary embodiments of the invention,
30 taken in conjunction with the accompanying drawings in which:

1   **FIGURE 1** illustrates a music or other audio sample within a digital music

2   file.

3   **FIGURE 2** is a high level flow chart of a music clipping process consistent

4   with embodiments of the present invention.

5   **FIGURE 3** illustrates a music sample within a digital audio file using start

6   and stop flags.

7   **FIGURE 4** illustrates a music sample within a digital audio file using a

8   header to define a sample.

9   **FIGURE 5** is a flow chart of an embodiment of a sampling technique

10   consistent with certain embodiments of the invention.

11   **FIGURE 6** is a flow chart of another embodiment of a sampling technique

12   consistent with certain embodiments of the invention.

13   **FIGURE 7** is a flow chart of a third embodiment of a sampling technique

14   consistent with certain embodiments of the invention.

15   **FIGURE 8** illustrates an exemplary embodiment of a user interface of a

16   media player that can employ a music clipping process according to embodiments

17   of the present invention.

18   **FIGURE 9** is a flow chart illustrating a music clipping and distribution

19   process consistent with certain embodiments of the present invention.

20   **FIGURE 10** is a flow chart illustrating another music clipping and distribution

21   process consistent with certain embodiments of the present invention.

22   **FIGURE 11** illustrates an exemplary embodiment of a user interface of an

23   electronic mail application consistent with certain embodiments of the present

24   invention.

25   **FIGURE 12** illustrates an exemplary embodiment of a user interface of an

26   electronic mail application showing an "Attach Menu" consistent with certain

27   embodiments of the present invention.

1   FIGURE 13 illustrates an exemplary embodiment of a user interface of an

2   electronic mail application showing an attached audio file consistent with certain

3   embodiments of the present invention.

4   FIGURE 14 illustrates an exemplary embodiment of a user interface of an

5   electronic mail application showing an attached link to an audio sample consistent

6   with certain embodiments of the present invention.

7   FIGURE 15 is an exemplary system block diagram of an email system using

8   an enterprise email server according to certain embodiments of the invention.

9   FIGURE 16 is a flow chart illustrating the operation of the email server of

10   FIGURE 15 according to an embodiment of the present invention.

11   FIGURE 17 is a flow chart illustrating a process for awarding affinity points

12   consistent with certain embodiments of the present invention.

13   FIGURE 18 is a flow chart illustrating another process for awarding affinity

14   points consistent with certain embodiments of the present invention.

15   FIGURE 19 illustrates an exemplary embodiment of a user interface of an

16   electronic mail application showing an attached audio file and link to purchase

17   options consistent with certain embodiments of the present invention.

18

19   **DETAILED DESCRIPTION OF THE INVENTION**

20   While this invention is susceptible of embodiment in many different forms,

21   there is shown in the drawings and will herein be described in detail specific

22   embodiments, with the understanding that the present disclosure is to be

23   considered as an example of the principles of the invention and not intended to limit

24   the invention to the specific embodiments shown and described. In the description

25   below, like reference numerals are used to describe the same, similar or

26   corresponding parts in the several views of the drawings.

27   Referring now to **FIGURE 1**, a music file, or other audio file, is generally

28   represented as 100. The music file can be viewed as a linear file of data extending

29   from left to right as time increases in **FIGURE 1**. When streamed from a server or

1   disc drive or the like, the music file 100 will play for a time duration shown as T_{SONG}.

2   The desired music sample including the so-called "hook" (i.e., a memorable

3   passage of the music that is likely to attract a potential buyer's attention), can be

4   represented as a segment of the file shown as "music sample" 104 starting at

5   times T_{START} and ending at time T_{STOP}. Depending on the individual music selection

6   and also dependent in general upon the particular genre of music, the start of the

7   hook is generally located somewhere around 45 to 60 seconds into a typical 3

8   minute popular music selection. With other genres of music, such as jazz or

9   classical music, the hook might appear significantly later or earlier. Additionally,

10   for example, 1950s rock and roll hooks typically occur somewhat sooner. Thus, the

11   start time for the sample may range from about 30 to about 60 seconds.

12   Generally speaking, current mass marketed music that may benefit most

13   from the music sampling described herein falls within the category of popular

14   music. In this case, the hook typically starts, as previously noted, between 45 and

15   60 seconds into the selection. Thus, a music sample of approximately 30 seconds

16   can be generated by simply taking a clipping from the original music file starting at

17   approximately 45 to 60 seconds (or slightly earlier, e.g., 5 to 15 seconds earlier)

18   and lasting for a duration of approximately 30 seconds. For jazz or classical

19   selections, it is beneficial to take a longer music selection of perhaps 45 to 60

20   seconds since a 30 second clip may not present a representative sample of the

21   music selection.

22   Referring now to **FIGURE 2**, an overall process for creating a music clipping

23   suitable for super distribution is illustrated as process 120 that starts at 124.

24   Generally the music sample is extracted as a segment of the music selection file

25   100 at 128. At 132 the selected sample segment is compressed using any suitable

26   compression technique to reduce the file size. Any suitable compression

27   technique can be utilized for this purpose including lossy compression techniques

28   and reduction of the data rate (the streaming data rate) associated with the music

29   selection. In general, although such compression degrades the fidelity of the

30   resulting sample segment, it is more desirable to degrade the sample quality

1   somewhat then to have a resulting sample file that is large and thus more difficult

2   to readily distribute (for example, over the Internet). At 140 the process terminates

3   to return a music clipping for use. This process can be carried out by the end user,

4   retail establishment, record company, publicist, marketing concern, artist or other

5   private or commercial entity interested in promoting the audio selection.

6   In accordance with the embodiment illustrated in **FIGURE 1**, a fixed starting

7   time is defined (e.g., 45 seconds from the start of the music selection) for

8   extracting the music sample and the sample duration T_{SAMPLE} is also predefined

9   (e.g., 30 seconds) to create a generally applicable music clipping. However, other

10   techniques can also be utilized to perform the initial extraction of the sample

11   segment (i.e. 128 of **FIGURE 2**). **FIGURE 3** illustrates a second technique for

12   creating a music sample (or other audio or video sample) consistent with the

13   embodiment of the present invention. In this embodiment, the sample is defined

14   in the production and manufacturing process. In this technique, a preferred music

15   sample 104 is preceded by a start flag shown as 154 and may also be followed by

16   a stop flag shown as 158. Alternatively, only a start flag 154 may be used in

17   conjunction with a predefined sample time defining the stopping point. In this

18   embodiment, the sample can be automatically extracted from the file 150 by simply

19   scanning the file for the location of start flag 154 and possible stop flag 158. Such

20   flags can be readily embedded in a music file and can be ignored by the music file

21   playing or, if interpreted by the player as music data, these flags are of such short

22   duration as to be unlikely to be noticed by the human ear. The recorded audio

23   along with start and stop flags can be recorded on any suitable electronic storage

24   medium such as a compact disc.

25   A third technique for extracting a sample segment as in 128 of **FIGURE 2** is

26   illustrated in connection with the use of file 170 of **FIGURE 4**. In this example, the

27   music file 170 (or other audio or video file) includes a header 174 containing data

28   relating to the music file 170. A portion of this data in header 174 can be defined

29   to be either a starting packet number or starting time associated with the music

1   sample as well as possibly an ending packet number or ending time associated

2   with the music sample. Alternatively, a sample duration could be specified. The

3   recorded audio along with start and stop flags can be recorded on any suitable

4   electronic storage medium such as a compact disc. Many variations of these

5   techniques will occur to those skilled in the art and can be adapted for use with

6   video as well as audio.

7   Referring now to **FIGURE 5,** a process for deriving a music sample as

8   illustrated in **FIGURE 1** is shown as process 200. The process starts at 204. At

9   208, a starting point T_{START} is identified as a fixed time from the beginning of the

10   music file. At 212, a stopping point T_{STOP} is identified as a fixed time into the audio

11   file or equivalently a fixed time at T_{START}. At 218, the data between the starting point

12   T_{START} and the stopping point T_{STOP} is extracted to define the segment of music to

13   be used in creation of the sample. The process then returns at 224. Of course,

14   those skilled in the art will appreciate that the extraction of the data may begin as

15   soon as the starting point is identified. The extraction can then proceed until the

16   sample time has expired or until the stopping point T_{STOP} is encountered.

17   Referring now to **FIGURE 6**, a process 240 starting at 244 describes the

18   processes for extracting a sample segment from file 150 of **FIGURE 3** in file 170

19   of **FIGURE 4**. At 248 the header 174 is scanned for a sample start flag for starting

20   time or starting packet identifier. At 252 the music file or header is scanned for the

21   sample stop flag (or time or packet ID.) At 256 the data between the sample start

22   and sample stop indicators (flag, time or packet ID) to define the sample segment

23   to be used for ultimate creation of music clippings. The process returns at 260. Of

24   course, those skilled in the art will appreciate that the extraction of the data may

25   begin as soon as the starting point is identified. The extraction can then proceed

26   until the sample time has expired or until the stopping point T_{STOP} is encountered.

27   Referring now to **FIGURE 7**, a variation of process 200 of **FIGURE 5** is

28   illustrated starting at 282. At 208, the starting point is identified as a fixed time from

29   the beginning of the music selection. Control then passes to 288 where the music

genre is identified. This can be accomplished by data supplied in a header such as header 174, by user selection or any other suitable mechanism. In the case of genre A, control passes to 290 where a stopping point is identified as the starting point plus a fixed time T1 into the music file. Control then passes to 292 where the data is extracted between the starting point and stopping point to provide the sample segment from the current music selection and the process returns at 294. However, if the music genre is determined to be B at 288, control passes to 298 where the stopping point is identified as the starting point plus a different time T2 into the music file. Control then passes to 292 as previously. In accordance with this embodiment, multiple types of music can be sampled to generate a more suitable sample based upon the type of music being sampled. Thus, genre A may be considered popular music while genre B may be classical music with T1 equaling 30 seconds and T2 equaling 60 seconds. While the process 280 is illustrated as having only two selections A and B, those skilled in the art will appreciate that any number of such selections are possible and can be defined to most closely match an appropriate time period for the selection of the sample based upon the particular type of music, audio video or other program material.

Samples created in accordance with any of the processes described above can be carried out by the end user, retail establishment, record company, publicist, marketing concern, artist or other private or commercial entity interested in promoting the audio selection.

The process just described can be implemented as a computer program or script operating as a portion of, for example, a computer media player. However, many other implementations are possible without departing from the present invention. In one alternative embodiment, an email enabled personal audio player can embody the functionality of the present invention, with email facilities provided via wireless or wired communication. The compressed music sample previously described can be generated as part of a media player in one embodiment of the invention so that a user can advantageously produce a music sample of a currently playing music selection and with a single click of a computer screen icon, push of

1   a button or other interface, initiate a process for sending that music sample to a

2   friend (or potential customer).

3   **FIGURE 8** shows a simplified user interface for a media player 310. Media

4   players similar to those provided by Microsoft, Real Networks as well as ATI and

5   other corporations can be modified to provide this function.   In the illustrative

6   interface 310 shown in **FIGURE 8**, a display window 314 displays the artist and the

7   name of the selection being played. Window 316 displays the elapsed time in this

8   selection. Various play control buttons are provided such as search forward button

9   320, scan forward button 322, search backwards button 324, scan backwards

10   button 326, pause button 328 and start/stop button 330 in a familiar arrangement.

11   In addition, the interface includes a button labeled as "send to friend" button 336.

12   In other embodiments an icon such as an email envelope icon or the like can be

13   also utilized.   In this embodiment, the media player can send a sample of the

14   currently playing selection to a friend, acquaintance or potential purchaser by use

15   of the button 336. Those skilled in the art will appreciate that other user interfaces

16   could also be used without departing from the invention.

17   **FIGURE 9** illustrates a process 350 starting at 352 for utilizing the media

18   player 310 to send an email music sample to a friend or other recipient. At 356 the

19   music player application associated with interface 310 of **FIGURE 8** is launched

20   and proceeds to normal player operation at 360. The media player at 360 operates

21   in a normal fashion under control of the user to play compact discs, .MP3 files,

22   .AAC files, .WMA files or other recorded media in a conventional manner until such

23   time as the user operates the "send to friend" control 336 as detected at 364.

24   When this occurs, an email application is launched at 368, which automatically

25   creates a new email message at 372. Control then passes to 376 where a music

26   sample file is attached (if it currently exists) or is created according to one of the

27   processes previously described (or any other suitable process) and then attached

28   to the new email. Control then passes to 380 where an address book function is

29   launched so that the user can select recipients at 384. The user continues to

1 select recipients for the email at 384 until completed at 388 at which point the user

2 is passed to a conventional email edit screen wherein a new message can be

3 created or edited at 392. The email functions just described can be carried out

4 using an adaptation of software programs such as Microsoft Outlook™, Microsoft

5 Outlook Express™ or Lotus Notes™ as well as other email programs commercially

6 available.

7 When the user has completed entering and editing the email message and

8 recipients at 392, then the user elects to send the email by clicking a send button

9 at 396 to cause the email to be sent at 398. Control then returns to 360 for normal

10 media player operation. While **FIGURE 10** illustrates a sequential process wherein

11 the normal media player operation is illustrated as a functional block that is

12 separate and distinct from the process of sending the email, in preferred

13 embodiments of the invention, the media player continues to play the music

14 selection in the background while the creation of the email is carried out. This can

15 be accomplished using various known techniques including buffering of the music

16 and running the media player application as a background task. Other techniques

17 can also be employed to permit the user to continue listening to music throughout

18 the process described by 364 through 410 without departing from the invention. In

19 other embodiments, the email can be created and buffered for later transmission

20 when an email application is opened. Other variations will occur to those skilled

21 in the art.

22 **FIGURE 10** illustrates a process 400 for carrying out a simplified process

23 similar to that of process 350 of **FIGURE 9**. However, in process 400, a single click

24 of the "send to friend" icon 336 initiates the creation and/or attachment of the music

25 sample file at 376. Control then passes to 404 where the email is addressed to

26 one or more default recipients. A default message (e.g., "Here is a song sample

27 I think you might like.") is inserted at 408 and the email is sent at 410 without any

28 user intervention after clicking "send to friend". Of course, this presupposes that

29 there has been an initial creation of default messages, default recipients, etc. In

1   accordance with the embodiment of process 400, a predefined list of recipients

2   automatically receives the music sample whenever the user clicks on the "send to

3   friend" icon 336 with no further action required by the user. Those skilled in the art

4   will recognize that numerous variations of this process are possible wherein, for

5   example, a default message and recipient list is provided but the user is given the

6   opportunity to edit them prior to actually sending the email. (For example, a

7   window can be displayed giving the user, e.g., 5 seconds to click a button to

8   change from defaults. Otherwise, the default message is sent to the default

9   recipient along with the sample.) Moreover, process 350 and process 400 can be

10   varied as to the order of the specific operations carried out without departing from

11   the invention.

12   **FIGURE 11** illustrates another use for the music sample created as

13   previously described within the context of conventional electronic mail. **FIGURE 11**

14   shows a window used to create electronic mail message in an exemplary email

15   software application. This exemplary user interface is similar to that used by

16   numerous commercially available email applications and includes conventional

17   addressing and editing functions as well as an "attach" icon 434 plus an "attach

18   menu" icon 438. In this embodiment, the "attach" icon 434 is used to attach a

19   default music sample and message to the current email. The "attach menu" icon

20   438 is used to produce the default attachment and determine that it is to be sent

21   to all emails or simply the emails selected using the "attach" icon 434.

22   Referring now to **FIGURE 12**, "attach menu" icon 438 can be utilized to

23   produce a drop down "attach" menu 440, and simplifies the process of attaching

24   music sample files to an email message. In this embodiment, the drop down menu

25   440 permits the user to select a particular music file for attachment at 442 and

26   provides the option of attaching the sample to a single email at 444 or to save the

27   attachment as a default to be attached to all outgoing emails at 446 or whenever

28   icon 434 is selected from within an email document. The "select file to attach"

29   selection 442 can operate using a conventional browsing function as is commonly

1 provided in Microsoft Windows compatible applications or using any other suitable

2 mechanism. Selections 444 and 446 may provide access to a text editing function

3 for providing a remark or comment to be attached as, for example, a footer to the

4 email along with the sample file and further determines that the sample is attached

5 to a single email or all emails. Whenever 444 or 446 is selected, the attachment

6 created becomes the default attachment if so desired by the user (e.g., by checking

7 a "default attachment" box in the attachment creation process) until cleared using

8 selection 448. Whenever 446 is selected, the attachment including a music

9 sample is attached to all emails sent out by the user until the selection is changed.

10 **FIGURE 13** illustrates a completed email message including a footer-like

11 comment 452 regarding the music sample attachment and a music sample file

12 illustrated as an icon 456 which the recipient of the email can click (e.g., with a

13 mouse) in order to play or save the sample file.

14 **FIGURE 14** illustrates another embodiment of a completed file in which

15 rather than sending a sample file such as 456, the user is able to provide a footer

16 including a text message 466 along with a Universal Resource Locator (URL) 470

17 that directs the recipient to a web site or web page on the Internet identified by URL

18 470. In this example, the URL 470 will, in one embodiment, provide the user with

19 a streaming audio sample of the song desired. In this case, the song sample might

20 be provided by a record company, record production company, retail music outlet,

21 electronic retailer (e-tailer), etc. and may also provide the recipient with access to

22 a purchase option and/or other information regarding the music selection being

23 sampled.

24 The format of email 430 described in connection with **FIGURE 14** is also

25 conducive to an email music marketing arrangement as illustrated in **FIGURE 15**.

26 **FIGURE 15** illustrates an Enterprise network 500, which might represent a music

27 company, retail establishment, e-tailer or other Enterprise with interests in

28 promoting a particular recording. The Enterprise includes a network 502 of

29 computers attached by some common local network and/or wide area network,

wiring arrangement illustrated as 504. Attached to this network may be a plurality

of client computers and servers shown as 506 and 508. In addition, the Enterprise

utilizes an Enterprise email server 510 having an associated database 516. For

Enterprise 500, all electronic mail passes through the Enterprise email server 510

and is then either routed back to internal computers for the target address or sent

out over the Internet 520 or other suitable network to reach destination computers

such as 522, 524 and 526. In accordance with this embodiment, if the Enterprise

wishes to promote a particular artist, the Enterprise email server 510 can be utilized

to attach a footer to each outgoing email message incorporating a music sample

or URL to a particular music sample. In this manner, the Enterprise can capitalize

upon hundreds or thousands of electronic email messages going out each day

from the Enterprise to various recipients as a marketing tool to further promote a

particular artist.

FIGURE 16 illustrates a process 550 as just described wherein the email

server is started at 552 and then awaits receipt of a new outgoing email from a

client computer at 554. Once a new email message is received from a client

computer for distribution either internally (if desired) or over Internet 520, a music

sample attachment (or URL to a sample) is retrieved at 560 from the servers

storage system 516. The email message is then appended to the email at 564

before forwarding the email to the recipient at 570. Thus, each email transmitted

by the Enterprise can be used as a marketing tool for a particular artist. If desired,

the particular song sample being sent can be varied randomly, in accordance with

time or according to any other suitable scheme that fits the marketing strategy of

the Enterprise.

In another embodiment consistent with the present invention, the general

population can be enlisted as marketers for music marketing. Referring back to

FIGURE 14, an email message as illustrated can be used as a basis to accumulate

affinity points (similar to frequent flyer miles or hotel club miles) for participating in

promotion of a favorite artist. Consider, for example, that the sender (Bob) of email

430 signs up with a music marketing concern to help promote their music. By sending music samples out along with all of Bobs' email, he may generate interest in the song and album from which a particular sample is taken. In this case, Bob may, for example, register his own samples with the music marketing concern or may receive the samples periodically by email or from a web site, for example, from the marketing concern. A process such as that illustrated in **FIGURE 17** can then be used to accumulate "credits" for an affinity program associated with the music marketing concern. Such credits may, for example, provide the user with discounts, free merchandise or contest entries from the marketer to encourage the distribution of samples.

Process 600 starts at 602 after which the sender sends an email to a recipient with the email including a Universal Resource Locator to a music sample at 606. Upon receipt of this email, the recipient may use the URL at 610 to visit an electronic commerce server at the site with the music sample and either receive a download of the music sample or receive the music sample as a streaming audio sample from the site at 614. The site also may provide a purchase option at 620 to the sample recipient as well as providing other information and/or offers. At 624, if the recipient decides to make a purchase, the sender may receive an affinity credit based upon the purchase at 630. The process ends at 634.

There are many ways of implementing the process just described. For example, the recipient may be required to supply the email address of the sender of the email in order for the recipient to receive a discount toward the purchase of the music selection or other purchases at the web site. This provides the merchant with the sender's identifying information so that the sender's account can be credited with affinity credits. In another embodiment, invoking the URL 470 actually invokes a Java applet which extracts the source of the email and forwards it to the web site in a manner transparent to the user as the user is directed to the web site to receive this streaming audio sample. Those skilled in the art will recognize that there are many other ways of implementing the present invention.

FIGURE 18 illustrates a variation of the embodiment shown in FIGURE 17 as process 650 starting at 654. At 656 the sender sends an email to the recipient including an actual music sample plus a URL that directs the user to a web site wherein a full copy of the selection can be purchased. At 660 the recipient plays the music sample and at 666 the recipient uses the URL to separately go to a site with information and purchase options. Should the recipient make a purchase at 670, the sender receives credits from the site to his affinity account based upon the purchase at 674 and the process ends at 680. A sample email illustrating use of a URL as well as a music sample is illustrated in FIGURE 19. In this illustration, the footer also includes remarks 452 as well as an icon 456 for accessing the music sample. In addition, the remarks include a link to a web site 690 where the user can make a purchase of the full selection.

The mechanics of an actual purchase, as well as the nature of the sample can be varied in many ways without departing from the present invention. For example, the sample may be a small part of a full file containing the entire music selection. In such an embodiment only a small portion of the file is readily available for play by the recipient. In order to make the purchase of the full version of the music selection; the user need not download a full copy since a full copy is already available. The user merely purchases a key used to decrypt the song. Numerous variations on this theme are also possible. For example, the entire file may be available for sampling in its entirety with an encryption function that only permits one play until it is decrypted after paying for the music.

Those skilled in the art will recognize that the present invention has been described in terms of exemplary embodiments based upon use of a programmed processor such as that residing in a personal computer or personal music player at the user side and an electronic commerce server at the various URLs described. However, the invention should not be limited to software embodiments, since the present invention could be implemented using hardware component equivalents such as special purpose hardware and/or dedicated processors which are

equivalents to the invention as described and claimed. Similarly, general purpose computers, microprocessor based computers, micro-controllers, optical computers, analog computers, dedicated processors and/or dedicated hard wired logic may be used to construct alternative equivalent embodiments of the present invention.

Those skilled in the art will appreciate that the program steps used to implement the embodiments described above can be implemented using disc storage as well as other forms of storage including Read Only Memory (ROM) devices, Random Access Memory (RAM) devices; optical storage elements, magnetic storage elements, magneto-optical storage elements, flash memory, core memory and/or other equivalent storage technologies without departing from the present invention. Such alternative storage devices should be considered equivalents.

The present invention is preferably implemented using a programmed processor executing programming instructions that are broadly described above in flow chart form and which can be stored in any suitable electronic storage medium. However, those skilled in the art will appreciate that the processes described above can be implemented in any number of variations and in many suitable programming languages without departing from the present invention. For example, the order of certain operations carried out can often be varied, and additional operations can be added without departing from the invention. Error trapping can be added and/or enhanced and variations can be made in user interface and information presentation without departing from the present invention. Such variations are contemplated and considered equivalent.

While the invention has been described in conjunction with specific embodiments, it is evident that many alternatives, modifications, permutations and variations will become apparent to those skilled in the art in light of the foregoing description. Accordingly, it is intended that the present invention embrace all such alternatives, modifications and variations as fall within the scope of the appended claims.

What is claimed is: